

GENERAL MILLS/HENKEL SITE

The General Mills/Henkel Site is a textbook example of a Superfund site that has been fully remediated, but has yet to be closed.

Executive Summary: The former General Mills, Inc. facility (“Site”) located in Minneapolis, Minnesota, has been fully remediated from historical releases of minor amounts of waste solvents. General Mills is not responsible for remaining impacts to groundwater and soil gas in the neighborhood. Instead, the remaining contamination is caused by a degreasing solvent, trichloroethylene (“TCE”), disposed by many industries in areas up gradient of the Site. The lead agency, Minnesota Pollution Control Agency (“MPCA”), speculates that some General Mills waste remains at the Site, even though none can be detected, and asserts that General Mills, therefore, remains responsible for the larger neighborhood contamination. MPCA has told General Mills that because MPCA has not identified financially-responsible parties for the up gradient neighborhood contamination, General Mills must continue to address the neighborhood impacts to which it has not contributed.

As Superfund reform progresses, it is important that EPA provide business certainty to companies that have cleaned up their historical disposal sites by acknowledging parties who are no longer responsible. General Mills investigated and remediated this Site for over 35 years. Recent scientific analysis using chemical identification methodologies demonstrates that General Mills is not a contributor to the current groundwater contamination. Cleanup of this Site was completed 20 years ago. EPA should ensure lead state agencies do not distort their decisions about closing Superfund sites because of concerns that they have not identified other financially-responsible parties for neighboring sites.

Background: From approximately 1947 to 1962, small amounts of solvent waste from a General Mills research facility were disposed in a small portion of the Site. In 1977, General Mills sold the subsidiary that operated at the Site, and in 1981 reported the disposal practice to the MPCA and the EPA. In 1981, soil and groundwater investigations were conducted at the Site revealing a large TCE plume in an aquifer present at the disposal area and down gradient of the Site. Because site investigation techniques and analytical methods were in their infancy, it was assumed the Facility was the sole source of TCE. In 1984, General Mills agreed to operate a “pump and treat” groundwater system, which operated for more than 25 years. The system was discontinued with MPCA consent in 2010. We now know that General Mills, in fact, successfully remediated the soil and groundwater impacts associated with its activities at the Site by 1996.

Due to emerging regulatory concerns about “vapor intrusion,” in 2013 General Mills’ further testing found elevated TCE concentrations, including its presence in groundwater up gradient of the Site that was greater in concentration than down gradient of the Site. General Mills

discovered information in MPCA files that other properties in the area had historic use and disposal of TCE. Due to the presence of these TCE sources, the MPCA listed this up gradient area as a new site, the Southeast Hennepin site, in 2016 on its Minnesota Permanent List of Priorities. MPCA presently is conducting a further investigation under the auspices of EPA, as it considers listing the Southeast Hennepin site on the National Priority List.

Key Findings: Recent comprehensive scientific reviews of the reports and investigation results for the General Mills Site found that early investigations relied on two faulty assumptions: 1) that waste from the Site caused all groundwater impacts; and 2) that it contained high amounts of TCE.

- The General Mills waste material was less dense than water and was, therefore, confined to a small area in the immediate vicinity of the disposal area; there is no evidence that the original waste migrated beyond the immediate area of the former General Mills Facility.
- General Mills successfully remediated its disposal by 1996, as demonstrated by non-detection of the unique General Mills' waste solvent signature after that time.
- The recent discovery of strong up gradient sources of TCE explains the larger TCE plume that has existed for decades, still impacts the Site today and which General Mills could not have caused. TCE, unlike the General Mills' waste mixture, is denser than water, causing it to sink into the subsurface and through groundwater tables until it meets a confining rock layer.
- Scientific advances in chemical identification protocols since the 1980's show that the TCE up gradient to the site could not have come from General Mills.
- These up gradient TCE sources in the Southeast Hennepin site, not the General Mills Site, explain the origin, age, size and shape of the TCE groundwater plume.
- No further response actions are necessary as a result of the General Mills Site.

Conclusion: The General Mills/Henkel Site needs to be delisted from the NPL in order to provide necessary business certainty to General Mills. EPA and MPCA's focus should be applied to the Southeast Hennepin site as to the source and the remediation strategy to address remaining TCE impacts. The Superfund program must adopt better finality to specific sites. Scientific advances in contaminant identification should be applied across the country to better identify the actual responsible parties. EPA should ensure that State agencies do not distort their investigations and conclusions about closing sites because they have not found financially-responsible parties to undertake cleanup of sites.

Recommendations for Reforming the Superfund Program:

- Provide Business Certainty
- Remove barriers and incentivize states to close sites
- Utilize current scientific techniques to support cleanup and closure